

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED
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APPLICANT: MICHAEL B. THOMAS

SERIAL NUMBER: 10/667,999

JAN 04 2005

FILED: 09/22/2003

FOR: MIXING AND APPLICATION SYSTEM,
METHOD AND MATERIAL

ART UNIT: 1734

EXAMINER: EDWARDS, LAURA ESTELLE

ATTORNEY DOCKET: TD31/01

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE (ELECTION)

Sir:

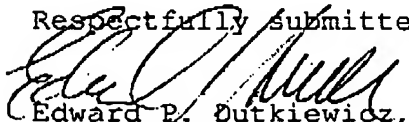
Introductory Comments

This is in response to the Office Action dated 12/16/2004.
Attached is the response to the requirement for
restriction/election contained in that Office Action.

Reconsideration and a Notice of Allowance are respectfully
requested.

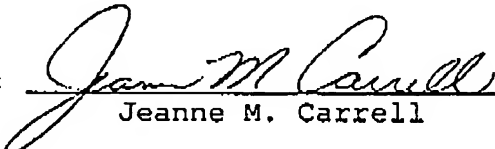
If the Examiner is of the opinion that direct contact with
applicant's attorney would expedite the prosecution of
this case, he is hereby authorized to call the undersigned
collect at 727-734-2855.

Respectfully submitted,


Edward P. Outkiewicz,
Reg. 46,676
640 Douglas Avenue
Dunedin, FL 34698
(727) 734-2855

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and being sent via facsimile to (703) 872-9306 addressed to: Art Unit 2734, Examiner Laura Estelle Edwards, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, this 4th day of January, 2005.

by: 
Jeanne M. Carrell

REMARKS (ELECTION)

This is in response to the requirement for restriction or election.

In response to the Examiner's requirement, applicant through his attorney, hereby elects Species Group I, Claims 1 - 7 of Figures 1 - 6, drawn to an apparatus, classified in class 118, subclass 429. Such election is made with traverse. It is deemed that a complete search, examination and office action on the elected embodiment would require a complete search, examination and office action of the other embodiments. As such, it is urged that no additional burden would be placed on the Examiner by withdrawing the requirement to elect and issuing an office action on all of the embodiments of the instant application.

Withdrawal of the Examiner's requirement for election/restriction, favorable reconsideration and a Notice of Allowance are hereby requested.